

NEWS RELEASE

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DeNUCCI SAYS SCHOOL PESTICIDE PROTECTION LAW IS NOT BEING PROPERLY ENFORCED

State Auditor Joe DeNucci reported today that more than 80 percent of Massachusetts schools and child care centers have failed to comply with a state law requiring them to submit a plan on pesticide use at their facilities, and that the state agency responsible for overseeing compliance with the law has not enforced it.

“This audit shows that the policy goals of the Legislature are not being met,” said DeNucci. “There is no assurance that children, staff and the public are being properly protected from unnecessary exposure to pesticides.”

According to DeNucci’s audit of the Pesticide Bureau in the Department of Agricultural Resources, more than 70 percent of the state’s 2,546 schools, both public and private, and 90 percent of the 3,242 child care centers have not submitted the pesticide plans required under the Children’s Protection Act of 2000.

Under the law, schools and child care centers must submit plans detailing the pest problem that exists at their facilities, the pesticides that they propose to apply, and who will apply the pesticides – even if they are not planning to use pesticides at the current time. The law also requires them to notify parents and employees at least two days before any pesticides are applied at these facilities.

According to DeNucci’s audit, recent state budget cuts have made it impossible for the Pesticide Bureau to enforce the provisions of this law. Since the law took effect in 2000, the department’s budget has been slashed by up to 35.4 percent, leaving the bureau with only four field inspectors to monitor more than 8,000 licensed pesticide dealers and applicators. Only nine fines have been issued to schools and applicators for various improprieties.

“The Pesticide Bureau does not have the resources it needs to enforce this law,” said DeNucci.

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DeNucci's audit also noted that the bureau needs to conduct more frequent and detailed inspections of pesticide dealers to ensure that restricted-use materials are being properly accounted for and controlled. He recommended that the Department of Agricultural Resources undertake a study to determine the appropriate staffing requirements of the Pesticide Bureau and take whatever steps are necessary to ensure that those needs are satisfied.

The Commissioner of the Department of Agricultural Resources replied that he is in complete agreement with Auditor DeNucci's recommendation that a workload study be conducted to determine how much staffing is necessary to comply with the law.